

Agenda
Item

A-1

Wishing to be heard during the Open Comment Period was Loren Fabian, 20 12th Street N.E., next door to the new McDonald's Drive-In. Mr. Fabian said that he has watched the project for the past three months and has been to the Planning and Zoning Department to check the plan against what is actually being constructed. A buffer of 10 feet 6 inches was approved with a fence to be erected next to where their parking lot begins. The buffer zone is less than 10 feet and the fence is 42 inches from the property line. The definition of a buffer zone, as found at Planning and Zoning, is grass, plants and shrubs. There is nothing in the definition which includes a fence or a lamp post which also has been erected. Mr. Fabian said that he would like the fence and curb to be moved 10 feet 6 inches from the property line as was approved. Mr. Fabian contacted the Planning and Zoning Department about the discrepancy and also confronted one of the owners of the property who told him it had been approved by the Planning Department after the fence was erected. Courtesy Corporation commented at the Council meeting, and in a meeting with Mr. Fabian, agreed to allow the Fabians to back their vehicles into the vacated alley, behind the other property bought by Courtesy, so that the Fabians don't have to back out on First Avenue N.E. There is now a fence in the middle of the alley which was to have been put next to the curb. The Corporation has to maintain the alley including snow removal; where is the snow to be put? Mr. Fabian said that it will be impossible to back his cargo van onto 1st Avenue because of the traffic and the speed in which they travel. He said that the finished side of the fence was to be toward his property; they have the backside. The fence was to be a minimum of eight feet high; it's only six feet high. He said that the mistakes amount to 800 to 1000 square feet of space. Mr. Fabian said that he would not accept these mistakes.

Brent Svenby, Planning Department, said that it is required to have a 10 foot buffer from McDonald's parking lot to Mr. Fabian's property. The buffer requires a number of plantings and a fence. He said that the City ordinance does not specify where the fence is to be placed, in the past it has been on the edge of the buffer yard allowing the fence and then ten feet of green space between the parking lot and the property line. We have also allowed fences to have been placed two to five feet within the buffer yard with plantings on each side of the fence. McDonalds erected the fence five feet from the buffer edge with plantings to be on five feet each side of the fence. The Planning Supervisor did make an interpretation that in the future fences will be required to be placed on the edge of the buffer yard which will allow ten feet of buffer on the other side of the fence to the adjacent properties. Mr. Fabian does have the option of appealing the decision of the Zoning Administrator. The appeal would go through an appeal process.

Mike Nigbur, Public Works Department, said that the alley was vacated on the portion of McDonald's property only and the remainder of the property was left intact. The Public Works Department was opposed to vacation of only a portion of the alley due to the maintenance and turn-around issues. As a compromise, the City Council agreed to vacate only the McDonald's portion of the alley and McDonald's agreed to maintain the entire alley at their costs and operations.

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	<p>Brent Svenby, Planning Department, in answer to a question from Councilmember Nowicki said that in the past the finished portion of a fence faces the adjoining property. Mr. Svenby said that the ordinance calls for a six foot fence.</p>
B-1	<p>President John Hunziker called the meeting to order at 7:00 P.M. with the following members present: Councilmembers Dennis Hanson, Marcia Marcoux, Jean McConnell, Sandra Means, Bob Nowicki, Walter Stobaugh. Absent: None. Also present Mayor Arde F. Brede.</p>
D-1-40	<p>Councilmembers Means moved, Stobaugh seconded, to approve the following consent agenda items.</p>
D-1	<p>There were no minutes for approval.</p>
D-2	<p>Adopted Resolution No. 473-04 scheduling a public hearing on November 1, 2004, to consider approval of TIF Assistance for the Georgetown Square Apartments rental housing project.</p>
D-3	<p>Approved the following licenses and miscellaneous activities:</p> <p><u>Heating, Ventilating and Air-Conditioning Contractor</u> Benedict Refrigeration Services, Inc., Altoona, Wisconsin Tru Mechanical, Byron Prestige Plumbing, LLC</p> <p><u>Master Installer</u> Kelly S. Moran, Chippewa Falls, Wisconsin Todd Rauen, Byron Shane Moore, Rochester</p> <p><u>Sewer & Drains</u> M. J. Ryan Construction Company, Burnsville Prestige Plumbing LLC</p> <p><u>Sign Installers</u> Roling Signs, Inc., Sioux Rapids, Iowa</p> <p><u>Sound Amplification Permit</u> Gay Lesbian Community Services – National Coming Out Day at Peace Plaza – October 11, 2004 – 5:00 to 7:00 PM Holiday Inn South – Patio Bar Entertainment – September 24, 2004 – 7:00 to 11:00 PM (Prior Approvals: Marcoux, Nowicki, Stobaugh, McConnell) Veterans for Kerry – Rally at Soldiers Field Memorial – October 3, 2004 – 4:00 to 6:00 PM (Prior Approvals: McConnell, Nowicki) Olmsted County Historical Society – Hands on History Educational Event – September 23 through 25, 2004 – 9:00 AM to 10:00 PM (Prior Approvals: Nowicki, McConnell, Stobaugh, Marcoux, Hanson)</p>
D-4	<p>See at end of D Items.</p>

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D-5	Adopted Resolution No. 474-04 setting the hearing for October 18, 2004, for assessing unpaid accounts for Weed Removal, Snow Removal, Debris Removal, Tree Removal, Impound Towing, Secure Property, Water Service, Sidewalk Repair and Sewer/Water/Electric.
D-6	See at end of D Items.
D-7	Approved a Taxicab Franchise for CAM Transportation, Inc. for the period of January 2, 2005, through midnight December 31, 2010 and instructed the City Attorney to prepare the required ordinance for adoption.
D-8	Adopted Resolution No. 475-04 calling for redemption of General Obligation Tax Increment Bonds, Series 1985.
D-9	See at end of D Items.
D-10	Approved Accounts Payable in the amount of \$4,119,617.47 and Investment Purchases of \$1,497,993.33.
D-11	Accepted the donation of \$700 from LaSata Salon and Spa for the Fire Department for expenses of terrorism training.
D-12	Approved amending RCO Section 141.12 of the Rochester Code of Ordinances related to the burning of trees and brush making language in the Code of Ordinances and Land Development Manual consistent and instructed the City Attorney to prepare the required ordinance for adoption.
D-13	Adopted Resolution No. 476-04 approving the Wetland Delineation and Replacement Plan for Shannon Oaks Subdivision.
D-14	Approved changing the roadway name of Westchester Drive N.W. to 3 rd Street N.W. and instructed the City Attorney to prepare the required ordinance for adoption.
D-15	Adopted Resolution No. 477-04 approving the Rochester Police Department to enter into a grant agreement with the SE Minnesota Narcotics Task Force for the 2005 Grant Year with the City to commit a cash match in the amount of \$7,000 and authorized the Mayor and City Clerk to sign the grant agreement.
D-16	Accepted the \$25 donation from Marjorie Ginn for the Rochester Police Department for Police Honor Guard uniform/equipment expenses.
D-17	Adopted Resolution No. 478-04 approving the participation of the Rochester Police Department in the State of Minnesota Gang Strike Force and authorize the Mayor and City Clerk to sign the required documents.
D-18	Adopted Resolution No. 479-04 approving the grant application to the Minnesota Pollution Control Agency for the combined 319/Clean Water Partnership and authorized the Mayor and City Clerk to sign the required grant agreement.

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D-19	Adopted Resolution No. 480-04 authorizing MSAS Variance Request from the MnDOT review and approval of the project plans and estimate for Project No. J-6389 "Traffic Signal 55 th Street NW at TH52 West Frontage Road/Clearwater Road N.W."
D-20	<p>Adopted Resolution No. 481-04 amending the Comprehensive Parking and Traffic Resolution Book as follows:</p> <p>I. Amend Paragraph 8.1 Section I, Zone E – 90 minute meters to read as follows: "East Center Street in the 100 block on the south side from 1st Avenue to Civic Center Drive with the exception of one space east of the Post Bulletin driveway".</p> <p>II. Add Paragraph 326 to Section B – No Parking Zones – to read as follows: "East Center Street in the 100 block on the south side from a mid-block driveway east approximately 25 feet".</p> <p>III. Amend Paragraph 23 Section I, Zone E-90 minute meters to read as follows: "4th Street SW from Broadway to 2nd Avenue SW except for a one passenger/commodity loading space on the south side of 4th Street west of 1st Avenue SW".</p> <p>IV. Add a paragraph to Section J Passenger and Commodity Loading Zones to read as follows: "4th Street SW in the 100 block on the south side approximately 25 feet west of 1st Avenue SW".</p> <p>V. Add Paragraph 4.1 to Section I, Zone G-3 Hour Meters to read as follows: "1st Street NW in the 400 block on the north side between 4th Avenue and 5th Avenue".</p> <p>VI. Add Paragraph 12.1 of Section J Passenger and Commodity Loading to read as follows: "5th Avenue NW from Center Street on the east side to mid-block Monday through Friday 6:00 AM to 6:00 PM".</p> <p>VII. Delete Paragraph 81.1 of Section E Passenger Loading.</p> <p>VIII. Add Paragraph 15.5 to Section I, Zone J- 10 Hour Meters to read as follows: "4th Street SW both sides of the 400 block from mid-block west to 5th Avenue SW".</p>
D-21	Adopted Resolution No. 482-04 authorizing the Mayor and City Clerk to execute a Contribution Agreement with West 80 Development.

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D-22	Adopted Resolution No. 483-04 approving a City/Owner Contract with Wildwood Meadows, Inc. and Road Constructors, Inc. for Project No. J-5139 "Basic Construction in Wildwood Meadow".
D-23	Adopted Resolution No. 484-04 approving a City/Owner Contract with Badger Development II, LLC and Road Constructors, Inc. for Project No. J-5133 "Watermain to Serve Badger Village Second".
D-24	Adopted Resolution No. 485-04 approving a City/Owner Contract with 19 th Street Athletic LLC and Fraser Construction, Inc. for Project No. J-5154 "Watermain & Hydrant Relocation to Facilitate the Athletic Club Building Addition".
D-25	Adopted Resolution No. 486-04 approving a City/Owner Contract with AC PEM WEST LLC and Elcor Construction, Inc. for Project No. J-5151 "Basic Construction in Commerce Park".
D-26	Adopted Resolution No. 487-04 approving a Settlement Agreement with John and Evelyn Wallin for right-of-way acquisition for Project No. J-7708 "Kings Run Sewer".
D-27	Adopted Resolution No. 488-04 approving a Quit Claim Deed to Vision Real Estate Investment, LLC for the City's access control rights over the East 17.96 feet of Lot 3, and the West 24.86 feet of Lot 4, Goodin Company Replat.
D-28	Adopted Resolution No. 489-04 authorizing the Mayor and City Clerk to execute the Settlement Agreement with the Legends Properties LLC for right-of-way acquisition for Project No. J-6981 "Airport Runway Expansion and Realignment of County Road 16".
D-29	Adopted Resolution No. 490-04 approving the execution of the Revocable Permit for the Post Bulletin Company, LLC to allow the placement of four exposed aggregate planters in the public right-of-way of 1 st Avenue S.E.
D-30	Adopted Resolution No. 491-04 approving execution of the Development Agreement with the owners of the Athletic Club Subdivision for Amendment No. 1 to the Athletic Club Development Agreement.
D-31	Adopted Resolution No. 492-04 Adding Paragraph 327 to Section B, "No Parking " of the Comprehensive Traffic and Parking Resolution Book, to read: (327) 7 th Street NW, from a point 390 feet to a point 440, more or less, west of 8 th Avenue, on the south side, at all times.
D-32	Adopted Resolution No. 493-04 Adding Paragraph 325 to Section B, "No Parking " of the Comprehensive Traffic and Parking Resolution Book, to read: (325) Clare Lane NE, from 26 th Street NE to (but not including) the cul-de-sac, on the east side, at all times.

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D-33	Adopted Resolution No. 494-04 approving the execution of a Third Supplemental Development Agreement for Stonehedge Estates Third Subdivision with Stonehedge Development, LLC.
D-34	Adopted Resolution No. 495-04 approving the execution of a Supplemental Development Agreement for Bandel North Second and Third, with Big-De Development Company, Inc.
D-35	Adopted Resolution No. 496-04 approving a Pedestrian Facilities and Stormwater Conveyance Agreement with Blue Barn Properties, LLC for Lot 10, Block 2, Airport Industrial Park.
D-36	Adopted Resolution No. 497-04 approving a Pedestrian Facilities Agreement with See Kongkeo and First Homes Properties, for Lot 27 North Sunny Slopes and that part of the vacated Meadow Lane SW right-of-way abutting said lot.
D-37	See at end of D Items.
D-38	Adopted Resolution No. 498-04 awarding the contract to Sheehy Construction Company, Inc. of St. Paul in the amount of \$3,285,950.00 for Project No. J-4390 "2004 Influent Pump Station Substructure at the Water Reclamation Plant".
D-39	Adopted Resolution No. 499-04 awarding the contract to Sheehy Construction Company, Inc. of St. Paul in the amount of \$23,647,578.00 for Project No. J-4390 "2004 Plant Expansion for Water Reclamation Plant".
D-40	<p>Approved the transfer of the On-Sale Liquor and Sunday Licenses from Sunstone Hotel Properties, Inc. to Rochester Bevflo, Inc. for Economy Inn & Suites, Holiday Inn-Downtown, Kahler Hotel, and Marriott Hotel and 3.2% Malt Liquor and Wine License for Residence Inn.</p> <p>Ayes (7), Nays (0). Motion carried.</p>
D-4	<p>Councilmember McConnell said that the ordinance to allow sales of liquor until 2:00 AM should not be adopted again. He said that the evidence from the Police Department proved that the one-year trial period failed. Accidents and DUI arrests have increased.</p> <p>Councilmembers Marcoux and Nowicki said they would like more information on any impact by allowing a later serving time. She asked that the ordinance be extended for a one-year period.</p> <p>Councilmember Means moved, Marcoux seconded, to approve the re-adoption of the ordinance allowing for on-sale establishments to serve until 2:00 A.M. and remain open until 3:30 A.M. for a one-year period of time and instructed the City Attorney to prepare the required ordinance for adoption. Discussion.</p> <p>Councilmember Stobaugh said that he did not agree with the ordinance but respected the Council's decision to go ahead with it.</p>

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D-6 & D-37	<p data-bbox="365 346 1398 411">Ayes (5), Nays (2). Motion carried. Councilmembers McConnell and Stobaugh voted nay.</p> <p data-bbox="365 447 1442 577">Mayor Brede asked when was the first time high school students were able to work at the election. He said that working at the polls presented a great opportunity for our young people to participate in the election. Judy Scherr, City Clerk, said students have worked since the 1986 election.</p>
	<p data-bbox="365 617 1442 682">Mayor Brede asked why his proclamation didn't serve as approval for Public Power Week. He was told that the Week has always had formal Council approval.</p> <p data-bbox="365 718 1442 884">Councilmembers Marcoux moved, Hanson seconded, to approve the appointment of the election judges for the City of Rochester for the 2004 Federal/State General Election to be held on November 2, 2004, and Adopt Resolution No. 500-04 designating October 3 through 9, 2004, as Public Power Week. Ayes (7), Nays (0). Motion carried.</p>
D-9	<p data-bbox="365 919 1442 1119">Wishing to be heard was Dave MacGillivray, Financial Advisor for the City of Rochester. He noted that the bids had been opened the morning of October 4, 2004. He asked that the Council accept the bid from Goldman, Sachs & Company at an interest rate of 4.323 percent which was an extremely good rate. The anticipated low rate for August was 4.44%. Ten bids were received because of the size of the offering and the excellent Triple A credit rating of the City.</p> <p data-bbox="365 1155 1442 1285">Councilmembers Marcoux moved, Stobaugh seconded, to adopt Resolution No. 501-04 accepting the offer on sale of \$83,735,000.00 General Obligation Wastewater Revenue Bonds Series 2004A and providing for their issuance. Ayes (7), Nays (0). Motion carried.</p>
E-1	<p data-bbox="365 1318 1446 1419">A Continued Hearing on Land Subdivision Permit #04-25 by Willow Creek Commons LLC to be known as Willow Creek Commons located along the west side of TH63 and along the south side of 40th Street SW.</p> <p data-bbox="365 1455 1442 1556">Willow Creek Commons, LLC has requested that this application be continued to the October 18, 2004 Council Meeting to allow staff the need time to study the road alignment proposal.</p> <p data-bbox="365 1591 1446 1692">Councilmembers McConnell moved, Stobaugh seconded, to continue the hearing on Land Subdivision Permit #04-25 by Willow Creek Commons LLC to be known as Willow Creek Commons to October 18, 2004. Ayes (7), Nays (0). Motion carried.</p>
E-2	<p data-bbox="365 1724 1382 1824">A Continued Hearing on Final Plat #04-34 by Payne Company to be known as Century Hills Outlots located adjacent to Century Hills Third Subdivision and Century Hills Second Subdivision.</p> <p data-bbox="365 1860 1446 1986">Wishing to be heard was Mark Engel, Yaggy-Colby. He said that he had discussed Condition #2 with staff and the condition can be removed. He asked that a portion of the statement for Condition #3 be revised to read: "...covered by Outlots D, E, F, G, H, I, J, K, and L prohibiting the construction of a building, <u>or temporary structure</u></p>

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E-3

on said land". Removing "structure or other improvement" will make it consistent with the covenants that exist in Century Hills Outlots in Century Hills Subdivisions Second and Third.

Mike Nigbur, Public Works Department, said that Condition #2 can be removed. Mr. Payne will be selling Outlots A and C to abutting land owners. Outlot B will be going to the City of Rochester.

Brent Svenby, Planning Department, said that Outlots A and C should also be added to the revised statement in Condition #3. Mr. Engel said that was not agreed to with the owner.

David Goslee, Deputy City Attorney, said that Condition #3 says that the covenants are to the benefit of the City of Rochester. He said that would not be the case if they were restrictive covenants among the subdivision property owners.

By consensus, the Council asked that the owner's representative work with the Public Works Department and the matter will be reconsidered at the end of the Council meeting.

A Hearing to Consider Requests for 2005 Community Development Block Grant Program Funds.

Gary Neumann, Assistant City Administrator, noted to the Council that the award to the Candlewood Project would not be eligible at this time. He will provide the Council with information and the matter will be back to the Council at a future date.

Having no one further wishing to be heard, President Hunziker closed the hearing.

Councilmembers Nowicki moved, Marcoux seconded, to approve the following 2004 CDBG appropriations excluding the Candlewood award:

Public Service Requests

Aldrich Memorial Nursery School	\$4,600
Boys & Girls Club of Rochester	\$3,800
Child Care Resources & Referral (CCRR)	\$22,000
Imagine Kutzky	\$12,000
NAMI Olmsted County	\$1,200
PossAbilities of Southern Minnesota	\$2,300
Rochester Area Disabled Athletics & Recreation (RADAR)	\$3,400
Rochester Senior Center (Operating)	\$22,700
Rochester Senior Center (Cooler)	\$16,600

Barrier Removal/Rehab./Acq./Econ.Dev./Admin.

Ability Building Center	\$32,700
American Red Cross	\$5,700
Hiawatha Homes Foundation	\$9,000

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Bear Creek Services	\$18,200
Olmsted County HRA (Flood Homes)	\$43,100
Olmsted County HRA (Candle Rose)	\$29,800
SE MN Center for Independent Living (SEMCIL)	\$10,900
Senior Citizens Services, Inc.	\$24,800
Zumbro Valley Mental Health Center, Inc.	\$14,000
City of Rochester Park & Recreation	\$50,000

CDBG Contingency	\$12,000
Single Family Rehab Program (City)	\$250,000
First Homes Program	\$50,000
CDBG Administration	\$35,000

Councilmember Stobaugh noted his relationship with the Boys and Girls Club as a member of the Board and had refrained from voting for them.

Mayor Brede announced that a grant from US Cellular for \$30,000 and a grant from Hiawatha Homes for \$30,500 have been given to the Boys and Girls Club.

Ayes (7), Nays (0). Motion carried.

E-4

A Hearing to Consider Whether Sound Amplification Permits Issued to Pint's Pub For October 9, 16 and 23, 2004, Should be Rescinded.

Judy Scherr, City Clerk, said that a noise complaint had been received by the Police Department at 10:10 PM on October 2, 2004. When the officer asked the management of Pint's Pub to lower the volume, they did so. The band for the evening's entertainment stopped playing at 11:00 PM as the Sound Amplification Permit had indicated.

Having no one further wishing to be heard, President Hunziker closed the hearing.

Councilmembers Hanson moved, Nowicki seconded, to grant Sound Amplification Permits to Pint's Pub for October 9, 16, and 23 and allow those already granted for October 8, 15, and 22, from 7:00 to 11:00 PM. Ayes (7), Nays (0). Motion carried.

E-5

A Hearing on General Development Plan #240 to be known as Commerce Park by AC PEMWEST, LLC located along the east side of West Circle Drive and north of Technology Drive NW., and the hearing for E-6


A Hearing on Preliminary Plat #04-22 to be known as Commerce Park by AC PEMWEST, LLC including a request for a Substantial Land Alteration on property located along the east side of West Circle Drive and north of Technology Drive NW.

Testimony taken will pertain to both hearings.

Wishing to be heard was Josh Johnson, McGhie & Betts, representing the developer. He noted that they were in agreement with all the conditions for both hearings.

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	<p>Having no one further wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to approve General Development Plan #240 to be known as Commerce Park by AC PEMWEST, LLC with eight conditions and Preliminary Plat #04-22 to be known as Commerce Park by AC PEMWEST, LLC with eleven conditions and adopted Resolution No. 501A-04 approving a Substantial Land Alteration and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order for both hearings. Ayes (7), Nays (0). Motion carried.</p>
E-6	<p>A Hearing on Preliminary Plat #04-22 to be known as Commerce Park by AC PEMWEST, LLC including a request for a Substantial Land Alteration on property located along the east side of West Circle Drive and north of Technology Drive NW.</p> <p>See Item E-5 for any testimony pertaining to this hearing and action on the hearing.</p>
E-7	<p>A Hearing on Text Amendment #03-07 to amend Section 64.132 of the Rochester Zoning Ordinance and Land Development Manual limiting the use of private wells and septic systems for development.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Stobaugh moved, Marcoux seconded, to approve Text Amendment #03-07 to amend Section 64.132 of the Rochester Zoning Ordinance and Land Development Manual and instructed the City Attorney to prepare the required ordinance for adoption. Ayes (7), Nays (0). Motion carried.</p>
E-8	<p>A Hearing on Text Amendment #04-04 to amend Section 61.200 of the Rochester Zoning Ordinance and Land Development Manual by adding language regarding the method of how brush, trees or debris will be removed from the site.</p> <p>Having no one wishing to be heard, President Hunziker closed the hearing.</p> <p>Councilmembers Hanson moved, Nowicki seconded, to approve Text Amendment #04-04 to amend Section 61.200 of the Rochester Zoning Ordinance and Land Development Manual and instructed the City Attorney to prepare the required ordinance for adoption. Ayes (7), Nays (0). Motion carried.</p>
F-1	<p>Councilmembers Stobaugh moved, Marcoux seconded, to adopt Findings of Fact, Conclusions of Law, and Order in the matter of Final Plat #03-48 for Pebble Creek. Ayes (7), Nays (0). Motion carried.</p>
E-2	<p>Mark Engel, Yaggy-Colby, was not able to reach the applicant.</p> <p>Councilmembers McConnell moved, Marcoux seconded, to continue the hearing on Final Plat #04-34 by Payne Company to be known as Century Hills Outlots to October 18, 2004. Ayes (7), Nays (0). Motion carried.</p>

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F-2	<p>Gary Neumann, Assistant City Administrator, said that the Development Agreement should be changed to provide for a traffic and intersection capacity and level of service analysis by September 15, 2005, rather than prior to occupancy.</p> <p>Councilmembers McConnell moved, Marcoux seconded, to adopt Resolution No. 502-04 approving the execution of the Development Agreement, after execution by the owner, Nova 37, Amendment No. 1 (GAC Theatres, Inc.) with the change to providing for a traffic and intersection capacity and level of service analysis by September 15, 2005, rather than prior to occupancy. Ayes (7), Nays (0). Motion carried.</p>
G-2a	<p>An Ordinance Amending and Reenacting Section 125A.21 of the Rochester Code of Ordinances, Relating to the Permissible Hours of Sales and Consumption of Alcoholic Beverages, was given a first reading.</p> <p>Councilmembers Stobaugh moved, Hanson seconded, to suspend the rules and give the Ordinance a second reading. Ayes (7), Nays (0). Motion carried. The Ordinance was given a second reading. Councilmembers Hanson moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (5), Nays (2). Motion carried. Councilmembers McConnell and Stobaugh voted nay.</p>
G-2b	<p>An Ordinance Creating and Enacting Section 96.012 of the Rochester Code of Ordinances, Relating to the Creation of a Taxicab Franchise in the City of Rochester, was given a first reading.</p>
G-2c	<p>An Ordinance Amending and Reenacting Section 141.12 of the Rochester Code of Ordinances, Relating to the Burning of Trees and Brush, was given a first reading.</p>
G-2d	<p>An Ordinance Amending and Reenacting Section 75.01 of the Rochester Code of Ordinances, Relating to the Designation of Westchester Drive N.W., to Third Street N.W., was given a first reading.</p> <p>Councilmembers Marcoux moved, Hanson seconded, to suspend the rules and give the Ordinance a second reading. Ayes (7), Nays (0). Motion carried. The Ordinance was given a second reading. Councilmembers McConnell moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
G-2e	<p>An Ordinance Amending and Reenacting Section 64.132 of the Rochester Code of Ordinances, Relating to the Installation of Public Facilities and Utilities, was given a first reading.</p>
G-2f	<p>An Ordinance Amending and Reenacting Sections 61.200 of the Rochester Code of Ordinances, Relating to Information About Burning of Trees and Debris As Part of Subdivision Activity, was given a first reading.</p>
G-3a	<p>An Ordinance Amending and Reenacting Sections 85.20, 85.21, 85.23 and Subdivision 1 of Section 85.24 of the Rochester Code of Ordinances, Relating to the Maintenance of Open Areas and Premises in All Areas of the City, and the</p>

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	<p>Abatement of Health and Safety Hazards, was given a second reading. Councilmembers Marcoux moved, Hanson seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
G-3b	<p>An Ordinance Amending and Reenacting Section 77.02 of the Rochester Code of Ordinances, Relating to Charges for Wastewater Facility Services, was given a second reading. Councilmembers Marcoux moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
G-3c	<p>An Ordinance Amending the Floodfringe Overlay Zoning District Incorporated into the Rochester Code of Ordinances, Relating to the Re-designation of Floodplain Boundaries Associated with Property Located in Wood Lake Park Second Subdivision, was given a second reading. Councilmembers Marcoux moved, Hanson seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
G-3d	<p>An Ordinance Amending and Reenacting Sections 60.146, 60.531, 61.145, 61.210, 61.215, 61.225 and 62.824 of the Rochester Code of Ordinances, Relating to Compliance with the Comprehensive Plan, was given a second reading. Councilmembers Hanson moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (7), Nays (0). Motion carried.</p>
H-1	<p>No Action on Official Street Map No. 12.</p>
J-1	<p>Having no further business, Councilmembers Marcoux moved, Nowicki seconded, to adjourn the meeting. Ayes (7), Nays (0). Motion carried.</p>
	<p> _____ City Clerk</p>